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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/500,224	02/08/2000	Takeshi Misawa	1982-0143P	2273

7590 12/02/2004
Birch Stewart Kolasch & Birch LLP
P O Box 747
Falls Church, VA 22040-0747

EXAMINER

AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/500,224

Applicant(s)

MISAWA, TAKESHI

Examiner

Yogesh K Aggarwal

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 01 October 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attached paper.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-20.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

Response to Arguments

1. Applicant's arguments filed 10/01/2004 have been fully considered but they are not persuasive.

Examiner's response:

2. Applicant argues that the combination of infrared communication along with a protective covering as claimed and the resetting of the infrared communication section based on the application of the protective covering is not taught in the prior art (Page 9, bottom). The applicant further argues that the hinge cover 76 does not cover an infrared communication section (Page 10, top). The Examiner respectfully disagrees. Oswal (US Patent # 6,181,883) reference clearly disclose a hinge cover 76 (which would inherently act as a protective covering, The applicant also agrees that the hinge covering is a protective covering on Page 11, lines 3-4) on the camera body which may be opened to expose an edge connector 78 for connection of the camera 70 to a docking station (external device) (col. 8 lines 37-40). Oswal '883 further teaches that the docking station facilitates transfer of captured images using wire or wireless schemes (col. 6 lines 57-60) wherein the wireless schemes are infrared, RF or microwave (col. 8 lines 44-50). Therefore it reads on the claim "covering the infrared communication section portion of the digital camera with a removable protecting means which is removed at times when the image data is output, the protecting means substantially contouring to the outer surface of the communication section".

3. Applicant further argues that the hinge cover is not removable. The cover can swing on a hinge but cannot be removed at times when the image is output (Page 10, lines 8-9). The Examiner respectfully disagrees. Oswal (US Patent # 6,181,883) reference clearly disclose a

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hinge cover 76 on the camera body which may be opened to expose an edge connector 78 for connection of the camera 70 to a docking station which means that the hinge cover is removable and can be removed when the image needs to be outputted to a docking station for uploading, downloading, editing or simply viewing (col. 8 lines 37-40).

4. Applicant further argues that Oswal reference does not teach or suggest providing any type of protection covering means for an infrared transmitter/receiver. The only cover taught in Oswal is the hinge cover 76 that is used to cover pin connectors or cable connectors (Page 10, bottom). The Examiner respectfully disagrees. Oswal (US Patent # 6,181,883) reference clearly disclose a hinge cover 76 (which would inherently act as a protective covering, The applicant also agrees that the hinge covering is a protective covering on Page 11, lines 3-4) on the camera body which may be opened to expose an edge connector 78 for connection of the camera 70 to a docking station (external device) (col. 8 lines 37-40). Oswal '883 further teaches that the docking station facilitates transfer of captured images using wire or wireless schemes (col. 6 lines 57-60) wherein the wireless schemes are infrared, RF or microwave (col. 8 lines 44-50). Therefore the edge connector can be used to transmit wirelessly via infrared communication to the docking station when the hinge cover is opened or removed.

5. Applicant argues that it is not known in the art to provide a protective covering for infrared communication ports included on the body of a camera. Applicant agrees that the hinge is a protective covering for communication via a docking station but argues that the reference does not teach or suggest providing a removable cover, providing a cover for an infrared communication port or providing a resetting of an infrared communication section determined by the covering of the protective means as claimed (Page 11, lines 1-8). The Examiner respectfully

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disagrees. Oswal (US Patent # 6,181,883) reference clearly disclose a hinge cover 76 on the camera body which may be opened to expose an edge connector 78 for connection of the camera 70 to a docking station (external device) (col. 8 lines 37-40). Oswal '883 further teaches that the docking station facilitates transfer of captured images using wire or wireless schemes (col. 6 lines 57-60) wherein the wireless schemes are infrared, RF or microwave (col. 8 lines 44-50). Therefore the edge connector can be used to transmit wirelessly via infrared communication to the docking station when the hinge cover is opened or removed. As explained in the Applicant's specification, resetting of the communication section is returning the digital camera to its original state by covering the communication section again with the protecting means (Page 3, lines 12-16). Therefore when the protective covering i.e. hinge 76 covers the infrared communication section 78 again, the digital camera goes back to its original state.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K Aggarwal whose telephone number is (703) 305-0346. The examiner can normally be reached on M-F 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YKA

November 16, 2004


TUAN HO
PRIMARY EXAMINER

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